

# Raymond Potterton & Co

## Privacy Information Notice for Clients, Contractors, Suppliers and Business Contacts

### POLICY STATEMENT

Raymond Potterton & Co is committed to protecting and respecting the privacy of all of our clients. This Policy adopted by Raymond Potterton & Co explains when and why personal information is collected, how it is used, the conditions under which it may be disclosed to others and the choices clients have with regards to data collection and storage.

This policy relates to all data collected throughout all business activities and has been adopted in compliance with the EU General Data Protection Regulations (GDPR). Supplementary Privacy Information Notices may be issued for specific business activities.

Raymond Potterton & Co is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you and explaining it clearly to you.

This notice applies to prospective, existing and former customers of Raymond Potterton & Co (including employees and representatives of our customers); individual and business contacts and prospects; referrers; individuals who request information from us; any person who provides services to Raymond Potterton & Co, either as an individual or as the employee or representative of a corporate service provider; third parties acting for our customer.

Raymond Potterton & Co reserve the right to update this notice at any time. Should any substantial updates be made, we will notify you. We may also notify you in other ways from time to time about the processing of your personal information.

Any questions regarding this Policy and our privacy practices should be sent by email to the office for the attention of Ian Farrelly using the contact details in Clause 11 below.

## 1. Who are Raymond Potterton & Co?

Raymond Potterton & Co is a private limited company providing estate agency and estate management services.

The company registration number:	31420
VAT registration number:	IE 6334240L
The registered address:	38 Watergate St, Navan, Co Meath
Further details can be found via the company website:	<a href="http://www.raymondpotterton.com">www.raymondpotterton.com</a>
Raymond Potterton & Co is regulated by PSR, Firm number:	002488

## 2. How do we collect information?

Raymond Potterton & Co collects personal information direct from Clients, Contractors, Suppliers and Business Contacts upon enquiry about services and throughout the engagement.

The method of collecting information would depend on the nature of the enquiry and the route that the query has taken. Should a third party have been used, for example an external property website, their terms and conditions would stand.

Raymond Potterton & Co accepts consent for an individual's contact details by way of a telephone call.

We may collect information from other third parties, such as from referrers and from credit reference agencies or other background check agencies.

We also may collect your personal data when you or your organisation engage us or enquire about engaging us to provide property advice or property services;

- Communicate with our staff
- Visit our premises
- Work with us
- Or supply us with services, or offer to
- When you supply your personal data to us via our website, email, in person, by telephone or otherwise.
- When you subscribe to or express interest in, any of our property alerts or mailing lists.
- When you view one our client's properties
- When you ask us to attend a property prior to engaging us

We may also collect information about Clients, Contractors, Suppliers and Business Contacts from public sources, such as Companies Registration Office, from an online search or from social media sites.

### 3. What information is collected and how is it used?

Personal data, or personal information, means any information about an individual from which that person can be identified.

Raymond Potterton & Co will collect different information depending on your relationship with us and the type of engagement.

Typical information collected, processed and stored on file could be as follows:

- Personal information provided by Clients, contractors or suppliers themselves during the course of the business including name, business name (where applicable) address, telephone numbers and email addresses.
- Bank details would also be supplied should Raymond Potterton & Co need to pay funds to Clients or pay suppliers or contractors for goods or services.
- Raymond Potterton & Co may perform due diligence in the form of credit checks and verification of identity (including checking and evidencing photographic identification and proof of address). We do this to comply with our legal obligations.
- We process personal information contained in documents reviewed by us as part of any due diligence and provided to us in disclosure.
- Personal information about Clients provided by other professional advisors in the course of an engagement, for example legal settlements.
- Correspondence relating to Clients and their properties or businesses.
- We process any feedback received from Clients, contractors or suppliers on our services. Such processing is necessary to improving our services.
- We process information received from individuals who wish to view a client's property.
- We process information from a potential client who asks us to inspect a property in advance of us being engaged.

For marketing, business operation and relationship management purposes, we will collect and process Personal Data including:

- your name;
- your employer, your job title and/or position;
- your contact details, including your address, email address and phone number;
- CCTV footage, when you visit our premises. CCTV monitors the perimeter, entry-exit points and common areas of the building.
- our business activities and your areas of interest; and
- Information relating to your subscription to, receipt of or interest in any of our mailing lists or property alerts.

## Why We Collect Information

We use your personal information for the purposes of fulfilling our obligations to you to let or sell your property or, if you are a buyer or tenant, for the purposes of arranging a contract for sale or a lease for you.

### **Purchasing a Property**

- If you are purchasing a property where we are acting as agents for the sale of or selling a property through us, we will share your personal information with your appointed solicitors and the solicitors acting for the other side of the deal as is necessary to facilitate the sale or purchase. We may share your details with the builder as well, to arrange access for final finishes to your newly acquired property.

### **Renting a Property**

- If you are renting a property we are acting as letting agents of, we will share your personal information with third party referencing agencies for the purposes of the prevention and detection of crime, fraud and/or money laundering and checking your suitability to rent that property.

### **Property Management**

- Where we are managing property on your behalf we may need to pass your personal information from time to time on to third party contractors whom we have engaged to carry out maintenance on your properties (i.e. contact details to organise access for maintenance checks).

### **Other uses of your personal information**

- If we sell any part of our business and/or integrate it with another organisation your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers. If this occurs the new owners of the business will only be permitted to use your information in the same or similar way as set out in this privacy notice.
- We will share personal information with our regulators, governmental or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required from time to time in order to comply with our regulatory and legal obligations.
- Where we use third party services providers who process personal information on our behalf in order to provide services to us. This includes IT systems providers and IT contractors as well as third party referencing or screening agencies for the purposes of the prevention and detection of crime.
- We may share your personal information with any person working within Raymond Potterton & Co. Limited on a need to know basis to ensure we are able to perform our obligations to you.
- We will hold your personal information on our client management systems and use this to provide you with marketing information about similar services offered by Raymond Potterton & Co. Limited to those which you have engaged us to provide which we feel you might find useful from time to time. You have the opportunity to opt out of receiving this information at any time.

### **3.0 Sensitive Data**

Raymond Potterton & Co does not gather sensitive personal data (e.g. health, genetic, biometric data; racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sexual orientation, and criminal convictions) within day to day business.

For Anti-Money Laundering Regulations, details of any political connections will be requested and risk assessed within certain circumstances to comply with our legal obligations.

### **3.1 Children's Information**

Raymond Potterton & Co 's services are not directed to children under the age of 13. If it is suspected that a child under the age of 13 has provided Raymond Potterton with personal information, please notify Raymond Potterton & Co.

### **3.2 Our lawful basis for using personal information**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract, we have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.  
We currently rely on legitimate interests for holding professional contact details including: Accountants, Agents (Agricultural, Commercial or Insurance), Architects, Auctioneers, Bankers, Fellow BORVA members, Farm Consultants, Planning Consultants, Property Consultants and Solicitors
- Where we need to comply with a legal obligation.
- Otherwise, with your consent.

We may also use your personal information when deemed in the public interest, which is likely to be rare. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information for the purposes for which we collected it, as outlined above, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for any unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### 3.3 Third Parties

Raymond Potterton & Co will not sell or rent client information to third parties.

Raymond Potterton & Co also will not share client information with third parties for marketing purposes. Raymond Potterton & Co may however, pass client information to third party service providers who have been engaged for the purpose of completing tasks and providing services on Raymond Potterton & Co 's behalf. We disclose only the personal information that is necessary to deliver the service.

Raymond Potterton & Co uses a number of third party companies to assist with fulfilling contractual obligations, dependant on the type of work. As each agency or consultancy engagements differ by their nature, a typical list of third parties have been listed in the table below.

The following table outlines the personal data Raymond Potterton & Co collects and for what purpose. The table also outlines the third parties that the data is processed by or shared with, and how long the data is stored for.

### 3.4 International Transfer of Personal Data

From time to time may transfer Personal Data to countries outside the EEA which may not have the same or equivalent Data Protection Law as Ireland. If such transfer occurs will ensure that such processing of your Personal Data is in compliance with GDPR and, in particular, that appropriate measures are in place such as entering into Model Contractual Clauses (as published by the European Commission) or ensuring that the recipient is Privacy Shield certified, if appropriate. For further information about these transfers and to request details of the safeguards in place, please contact us using the details in Clause 11.

<b>Data Type</b>	<b>Description of Data</b>	<b>Legal Ground</b>	<b>Purpose for collecting</b>	<b>Third Parties involved</b>	<b>Data Retention</b>
Contact details	Contact details of perspective and ongoing Clients	Contract	To enable ongoing communication with clients and third parties	Vebra Message stream hosts the emails	Until request for deletion
Email	Electronic (and printed hardcopies on file where necessary) communications of ongoing discussions	Contract			

Backup of emails	History of email conversations	Contract	Cloud backup to ensure business continuity	Vebra Message stream hosts the email backup	Until request for deletion
Letters	Written communications between parties	Contract	To enable ongoing contact with clients and third parties including requests for information	Third parties would vary however could include: <ul style="list-style-type: none"> <li>• Solicitors</li> <li>• Surveyors</li> <li>• Planners</li> <li>• Other companies or agencies such as highways agencies</li> </ul>	All communications would stay on file until archived. Data retention periods are dependent on the type of transaction, for example a property sale or purchase would be held for 5 years after the end of the business relationship in accordance with Money Laundering Regulations.
Identification	Copies of documents which confirm identification of Clients	Legal Obligation	To comply with Money Laundering Regulations	None as currently undertaken in house	5 years after the end of the business relationship
Reports and/or surveys	Copies of reports or surveys as commissioned by Raymond Potterton & Co or sent to Raymond Potterton & Co for reference	Contract	To complete the engagement as per the request of the Client	As per letters above	All reports would stay on file. See retention details under letters above.
Legal Documents	Copies of documents in reference to the engagement	Contract		Typically originated from surveyors, planners or Government departments	

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies.

Raymond Potterton & Co do not allow our third-party service providers to use your personal information for their own purposes. We only permit them to process your personal information for specified purposes and in accordance with our instructions.

#### **4. General Data Retention**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

We shall keep the personal data we process for a minimum period of 7.5 years after the client in question ceases to be our client. We retain the personal data so that we may fulfil our obligation to protect our client's interests, to protect our own interests and as is required by legal and regulatory obligations to which we are subject. If we are required to retain your information longer than our standard retention periods, we will let you know (unless we are prevented by law from doing so.)

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

#### **5. Data Sharing**

If you are a customer, we share your personal information with other data controllers where required by law, or to meet our regulatory requirements or as required by our insurers.

We may share personal information with:

- Government or law enforcement agencies;
- our bankers (on a pseudonymised basis)
- our insurance and our professional indemnity insurance broker; and
- Auditors

Where we share information with other data controllers they are responsible to you for their use of your information and compliance with the law.



## 6. Controlling information

You have rights concerning the information held under the GDPR, these rights are set out below. Should you wish to exercise these rights, please contact us using the contact details in Clause 11.

### 6.0 Requests for copies of information held

Upon request, Raymond Potterton & Co will provide a statement regarding the personal data held in relation to an individual or company.

### 6.1 Updating or correcting information held

The accuracy of personal information held is important to Raymond Potterton & Co. Please keep us informed if your personal information changes during the course of our engagement with you.

### 6.2 Deleting personal data

You have the right to request erasure of personal information. Unless there is a compelling reason for the data not to be erased (for example, Raymond Potterton & Co may be required to keep personal data to fulfil contractual or legal obligations. An example could be that data would be kept for compliance of Anti-money laundering regulations), personal data will be deleted upon request.

### 6.3 Challenging Legitimate Interests

Under certain circumstances, you have the right to object to the processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

### 6.4 Restrict Processing

Under certain circumstances, you have the right to request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

### 6.5 Request a data transfer

Under certain circumstances, you have the right to request the transfer of your personal information to another party.

## 6.6 Withdraw consent

Under certain circumstances, you have the right to withdraw consent in the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we are required to continue to process your information in accordance with another lawful basis which has been notified to you.

## 7 Automatic decision making

Raymond Potterton & Co do not use any personal information for automated decision making or profiling.

## 8 Security

Raymond Potterton & Co takes data security seriously. In order to protect client personal data from loss, misuse or unauthorised access or disclosure we have put in place methods to safeguard and secure information collected.

These steps include:

- Data minimisation
- Password best practice
- Security best practice concerning devices (PCs, laptops, mobile devices), online accounts, website hosting, physical access and storage
- Staff training and accountability on data protection

A copy of our internal ICT and Data Protection Policy is available on request.

## 9. Data Breaches

Raymond Potterton & Co 's internal ICT and Data Protection Policy includes a clear process for handling a personal data breach, should one occur.

Any data breaches that are discovered externally should be reported to the us immediately, using the contact details set out in Clause 11. Where appropriate, Raymond Potterton & Co will promptly notify any clients should any unauthorised access to their personal information have occurred.

### 9.1 Website Cookies

Like many other websites Raymond Potterton & Co website uses cookies. Cookies are small pieces of information that are stored on your computer or mobile device when you visit a website. The cookies used are '1st party' cookies – these do not track behaviour across a range of websites that could result in targeted advertising.

We use Google Analytics which sets cookies to help us accurately estimate the number of visitors to the website and what content is most popular. This helps to ensure that our website is responding to your needs in the best way possible.

By using and browsing Raymond Potterton & Co website, you consent to cookies being used in accordance with this Policy.

If you do not consent, you must turn off cookies or refrain from using the site. Most browsers allow you to turn off cookies. To do this, look at the 'help' menu on your browser. Switching off cookies should not noticeably restrict your use of the website.

## 9.2. Links to other websites

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

## 10. Complaints

Should a client wish to make a complaint regarding personal information held, matters should be raised with us in the first instance using the details in Clause 11 below.

Should the response not be satisfactory, or if there are suspicions that Raymond Potterton & Co are not processing a client's information in accordance with the law, complaints are to be made to the Data Protection Commissioners.

## 11. Contact Us

For further information about this Privacy Policy and/or the processing of your personal data, or to make a complaint, please contact Ian Farrelly at [ian@raymondpotterton.com](mailto:ian@raymondpotterton.com)